

The Advisory Action indicates that upon filing an appeal, applicants' proposed amendment filed 8/14/00 will be entered, and claims 43-49 and 71-91 will be allowed. Applicants respectfully submit that those proposed amendments have been entered in view of the Notice of Appeal filed concurrently with applicants' 8/14/00 amendment after final.

II. The Prior Art Rejections

In the Office Action dated April 26, 1999, based on a single prior art reference to Geffcken et al., (i) claims 36 and 50 were rejected under 35 U.S.C. 102(b) as being anticipated, and (ii) claims 37-42 and 51-56 were rejected under 35 U.S.C. 103(a) as being obvious.

In the 8/14/00 amendment, Applicants respectfully traversed these rejections, and remarked, *inter alia*, that Geffcken et al. neither teaches nor suggests "a half wavelength plate for causing polarizing directions of the transmitted light and the reflected light which have been split by said polarizing beam splitting surface to be mutually coincident" because element 45" shown in Fig. 5 of Geffcken et al. is not a half-wave plate, but is a quarter-wave plate.

Yet the 8/30/00 Advisory Action indicates that claims 36-42 and 50-56 will remain rejected because "the Geffcken et al. reference clearly defines element 45 (accordingly elements 45' and 45") as half wavelength plate. Note by example only page 5, line 34." Applicants respectfully request reconsideration in view of the following additional remarks.

As noted, the Advisory Action maintains that the elements 45' and 45" of Geffcken, et al. are half-wave plates. Applicant submits, however, that this position is

not accurate because the phase plates 45' and 45" are incorporated with the back mirrors 54' and 54" to effect the same function as the half-wave plate 45. Specifically, light incident on the phase plate 45' (45") is transmitted through the phase plate 45' (45") and reflected by the mirror 54 (54"), then enters the phase plate 45' (45") again, and is transmitted through the phase plate 45' (45") so that the polarization direction of that light is rotated by 90°. Namely, the state of the light transmitted through the phase plate 45' (45") twice is the same as light transmitted through the half-wave plate 45 once. Thus, it is clear that the phase plates 45' and 45" are quarter-wave plate because of $(1/2)/2-1/4$.

In view of the foregoing, Applicants respectfully request withdrawal of the rejections of (i) claims 36 and 50 under 35 U.S.C. 102(b), and (ii) claims 37-42 and 51-56 under 35 U.S.C. 103(a).

III. Conclusion

In view of the above remarks, Applicants respectfully submit that the application is in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections is respectfully requested and allowance of all pending claims is respectfully submitted.

If any outstanding issues remain, or if the Examiner has any suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number below.

The Examiner's consideration of this matter is gratefully acknowledged.

AUTHORIZATION

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this request for reconsideration or accompanying paper, or credit any overpayment to Deposit Account **13-4500**, Order No. **1232-4046US2**.

In the event that an extension of time is required for this request for reconsideration or any accompanying submission, or which may be required in addition to that requested in a petition for an extension of time, the Assistant Commissioner is requested to grant a petition for that extension of time which is required to make this request for reconsideration or any accompanying submission timely, and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. **1232-4046US2**. A

DUPLICATE OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Morgan & Finnegan, L.L.P.

Date: October 16, 2000

By : 
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